

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

COMMANDER EMILY SHILLING, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, et al.,

Defendants.

No. 2:25-cv-241-BHS

ANSWER

**ANSWER**

Defendants hereby answer Plaintiffs' Amended Complaint (Mar. 4, 2025), ECF No. 59, as follows:

1. This paragraph consists of Plaintiffs' characterization of the lawsuit, to which no response is required. To the extent an answer is required, denied.<sup>1</sup>

2. Defendants admit that trans-identifying Service members take the same oath as other Service members but otherwise lack information necessary to admit or deny the allegations in the first two sentences of this paragraph. Defendants further admit that the United States needs ready, able, and willing Service members. Defendants deny the balance of the allegations.

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<sup>1</sup> Plaintiffs offer the "2025 Military Ban" as shorthand for Executive Order No. 14183. Defendants do not agree with Plaintiffs' characterization of that order, but where the allegations refer to "the 2025 Military Ban," Defendants admit or deny the allegations as if Plaintiffs refer to the order.

3. Defendants respectfully refer the Court to the cited Executive Orders for full and accurate statements of their contents and deny any allegations inconsistent therewith.

4. Denied.

5. Denied.

6. Defendants admit that the seven currently-serving Plaintiffs have served honorably and openly for different lengths of time and otherwise lack information necessary to admit or deny the allegations in this paragraph.

7. Plaintiffs' characterization of Shilling, Dremann, and Morgan's seniority and service requires no response. The specifics of each Plaintiff's service are admitted or denied below.

8. Plaintiffs' characterization of Doe, Schmid, Moran and Leins's seniority and service requires no response. The specifics of each Plaintiff's service are admitted or denied below.

9. Defendants lack information necessary to admit or deny the allegations in this paragraph.

10. Denied.

## PARTIES

11. Admitted, except to deny that Plaintiff Shilling is a woman.

12. Admitted, except to deny that Plaintiff Dremann is a man.

13. Admitted, except to deny that Plaintiff Morgan is a woman.

14. Admitted, except to deny that Plaintiff Schmid is a woman.

15. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack information necessary to admit or deny the allegations in this paragraph.

16. Admitted, except to deny that Plaintiff Moran is a woman.

17. Admitted, except to deny that Plaintiff Leins is a woman.

1 18. Defendants lack information necessary to admit or deny the allegations in this  
2 paragraph.

3 19. This paragraph does not allege any facts and, therefore, requires no response.

4 20. Defendants lack information necessary to admit or deny the allegations in this  
5 paragraph.

6 21. Defendants admit the allegations in the first sentence of this paragraph and deny  
7 the balance of the allegations. President Trump was dismissed from this lawsuit by stipulation of  
8 the parties. *See* Minute Order (Mar. 28, 2025), ECF No. 106.

9 22. Denied.

10 23. Defendant admit that Peter Hegseth is the Secretary of Defense and is sued in his  
11 official capacity. Defendants deny the balance of the allegations.

12 24. Defendants admit the allegations in the first two sentences of this paragraph and  
13 deny the allegations in the last sentence.

14 25. Admitted.

15 26. Admitted.

16 27. Denied, except to admit that Mr. Emmert was the Acting Secretary as of the date  
17 of the Amended Complaint. John Phelan is the Secretary of the Navy.

18 28. Admitted.

19 29. Admitted.

20 30. Admitted.

21 31. This paragraph does not allege any facts and, therefore, requires no response.

22  
23  
24 **JURISDICTION AND VENUE**

25 32. This paragraph consists of a legal conclusion, to which no response is required.

26 33. This paragraph consists of a legal conclusion, to which no response is required.

1 34. This paragraph consists of a legal conclusion, to which no response is required.

2 35. This paragraph consists of a legal conclusion, to which no response is required.

3 **FACTUAL ALLEGATIONS**

4 36. Denied.

5 37. Defendants admit that some people identify as a gender that does not match their  
6 sex but otherwise deny the allegations in this paragraph.

7 38. Denied.

8 39. Denied.

9 40. This paragraph sets forth a medical opinion, to which no response is required. To  
10 the extent a response is deemed required, denied.

11 41. Defendants respectfully refer the Court to the definition of Gender Dysphoria in the  
12 fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders* (the “DSM-5”) and  
13 deny any alleged definition to the contrary or inconsistent with that definition.

14 42. Defendants respectfully refer the Court to the definition of Gender Dysphoria in the  
15 fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders* (the “DSM-5”) and  
16 deny any alleged definition to the contrary or inconsistent with that definition.

17 43. This paragraph sets forth a medical opinion, to which no response is required. To  
18 the extent a response is deemed required, denied.

19 44. This paragraph sets forth a medical opinion, to which no response is required. To  
20 the extent a response is deemed required, denied.

21 45. Defendants admit that “transition” can be used to refer to the process by which  
22 some people try to live in a manner consistent with their gender identity instead of their sex.

23 46. Defendants lack information necessary to admit or deny the allegations in this  
24 paragraph.  
25  
26

1           47. Defendants lack information necessary to admit or deny the allegations in this  
2 paragraph.

3           48. Defendants lack information necessary to admit or deny the allegations in this  
4 paragraph.

5           49. Defendants lack information necessary to admit or deny the allegations in this  
6 paragraph.

7           50. This paragraph sets forth a medical opinion, to which no response is required. To  
8 the extent a response is deemed required, denied.

9           51. Defendants admit the allegations in the first sentence of this paragraph. Defendants  
10 admit that Plaintiff Shilling, then known as Timothy Richard Shilling, commissioned as a Naval  
11 officer on November 10, 2005. Defendants deny the balance of the allegations in this paragraph.

12           52. Defendants admit the first and last sentences of this paragraph; that Plaintiff  
13 Shilling flew 20 combat sorties over Afghanistan and Iraq; that Plaintiff Shilling has been awarded  
14 three Air Medals; and that Plaintiff Shilling received the 2010 Daedalion Award for Superior  
15 Airmanship During An Emergency. Defendants lack information necessary to admit or deny the  
16 balance of the allegations in this paragraph.

17           53. Admitted.

18           54. Defendants admit that Plaintiff Shilling has the officer designator of Aerospace  
19 Engineering Duty Officer but lack information necessary to admit or deny the balance of the  
20 allegations in this paragraph.

21           55. Defendants lack information necessary to admit or deny the allegations in this  
22 paragraph.

23           56. Defendants admit that Plaintiff Shilling is a male who identifies as a female.  
24  
25  
26

1           57. Defendants lack information necessary to admit or deny the allegations in this  
2 paragraph.

3           58. Defendants admit that, in 2021, Plaintiff Shilling transitioned socially and  
4 medically within the military.

5           59. Defendants admit that Plaintiff Shilling's first name was changed to Emily but lack  
6 information necessary to admit or deny the balance of the allegations in this paragraph.

7           60. Admitted.

8           61. Admitted, except that "clinically appropriate" is a medical opinion to which no  
9 response is required.

10           62. Defendants admit that Plaintiff Shilling was cleared for flight status in July 2024  
11 but lack information necessary to admit or deny the balance of the allegations in this paragraph.

12           63. Defendants lack information necessary to admit or deny the allegations in this  
13 paragraph.

14           64. Defendants lack information necessary to admit or deny the allegations in this  
15 paragraph.

16           65. Defendants lack information necessary to admit or deny the allegations in this  
17 paragraph.

18           66. Admitted.

19           67. Admitted.

20           68. Admitted.

21           69. Denied, except to admit that the allegation was correct as of the date of the  
22 Amended Complaint.

23           70. Defendants admit that Plaintiff Dremann is a female who identifies as a male.  
24  
25  
26

1           71. Defendants admit that Plaintiff Dremann's legal name and gender marker in  
2 DEERS were changed. Defendants lack information necessary to admit or deny the remaining  
3 allegations in this paragraph.

4           72. Admitted, except that Defendants lack information necessary to admit or deny  
5 Plaintiff Dremann's subjective desires as alleged in this paragraph.

6           73. Defendants lack information necessary to admit or deny the allegations in this  
7 paragraph.

8           74. Defendants lack information necessary to admit or deny the allegations in this  
9 paragraph.  
10

11           75. Admitted.

12           76. Defendants admit that Plaintiff Morgan's initial occupation specialty was enlisted  
13 Navy diver but lack information necessary to admit or deny the balance of the allegations in this  
14 paragraph.

15           77. Denied, except to admit that the allegation was correct as of the date of the  
16 Amended Complaint.

17           78. Defendants admit that Plaintiff Morgan is a male who identifies as female.

18           79. Defendants admit that Plaintiff Morgan's legal name and gender marker in DEERS  
19 were changed. Defendants lack information necessary to admit or deny the balance of the  
20 allegations in this paragraph.

21           80. Defendants lack information necessary to admit or deny the allegations in this  
22 paragraph.  
23

24           81. Defendants lack information necessary to admit or deny the allegations in this  
25 paragraph.  
26

1           82. Defendants lack information necessary to admit or deny the allegations in this  
2 paragraph.

3           83. Admitted, except to deny that Plaintiff Schmid is a woman.

4           84. Defendants admit that Plaintiff Schmid was born at K.I. Sawyer Air Force base but  
5 lack information necessary to admit or deny the balance of the allegations in this paragraph.

6           85. Admitted.

7           86. Defendants admit that Plaintiff Schmid is a male who identifies as female.

8           87. Admitted, except that Defendants lack information necessary to admit or deny  
9 when Plaintiff Schmid “began to come to terms with” Plaintiff Schmid’s gender identity.

10           88. Defendants lack information necessary to admit or deny the allegations in this  
11 paragraph.

12           89. Admitted, except that “clinically appropriate” is a medical opinion to which no  
13 response is required.

14           90. Defendants admit that Plaintiff Schmid’s first name was changed to Catherine but  
15 lack information necessary to admit or deny the balance of the allegations in this paragraph.

16           91. Defendants admit that Plaintiff Schmid’s DEERS marker is “female” but lack  
17 information necessary to admit or deny the balance of the allegations in this paragraph.

18           92. Defendants lack information necessary to admit or deny the allegations in this  
19 paragraph.

20           93. Defendants lack information necessary to admit or deny the allegations in this  
21 paragraph.

22           94. Admitted.

23           95. Defendants lack information necessary to admit or deny the allegations in this  
24 paragraph.



1           96. Defendants lack information necessary to admit or deny the allegations in this  
2 paragraph.

3           97. Defendants lack information necessary to admit or deny the allegations in this  
4 paragraph.

5           98. Defendants lack information necessary to admit or deny the allegations in this  
6 paragraph.

7           99. Defendants lack information necessary to admit or deny the allegations in this  
8 paragraph.  
9

10          100. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
11 information necessary to admit or deny the allegations in this paragraph.

12          101. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
13 information necessary to admit or deny the allegations in this paragraph.

14          102. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
15 information necessary to admit or deny the allegations in this paragraph.

16          103. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
17 information necessary to admit or deny the allegations in this paragraph.

18          104. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
19 information necessary to admit or deny the allegations in this paragraph.

20          105. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
21 information necessary to admit or deny the allegations in this paragraph.  
22

23          106. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
24 information necessary to admit or deny the allegations in this paragraph.

25          107. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
26 information necessary to admit or deny the allegations in this paragraph.

1           108. Defendants do not know the identity of Plaintiff Doe and, accordingly, lack  
2 information necessary to admit or deny the allegations in this paragraph.

3           109. Admitted, except that Plaintiff Moran is now 32 years old.

4           110. Admitted.

5           111. Admitted.

6           112. Defendants admit that Plaintiff Moran was deployed to Korea; that Plaintiff Moran  
7 monitored networks on the Korean peninsula for some military operations; and that Plaintiff Moran  
8 has received three Army Commendation Medals and two Army Achievement Medals.

9           113. Defendants admit that Plaintiff Moran is a male who identifies as female.

10           114. Defendants lack information necessary to admit or deny the allegations in this  
11 paragraph.

12           115. Defendants admit that Plaintiff Moran began receiving medical care in 2021 but  
13 lack information necessary to admit or deny the balance of the allegations in this paragraph.

14           116. Defendants lack information necessary to admit or deny the allegations in this  
15 paragraph.

16           117. Admitted.

17           118. Admitted.

18           119. Defendants lack information necessary to admit or deny the allegations in this  
19 paragraph.

20           120. Admitted, except Defendants lack information necessary to admit or deny whether  
21 Plaintiff Leins volunteered for the first deployment.

22           121. Defendants admit that Plaintiff Leins is a male who identifies as female.

23           122. Defendants lack information necessary to admit or deny the allegations in this  
24 paragraph.

1           123. Admitted, except that “clinically appropriate” is a medical opinion to which no  
2 response is required.

3           124. Defendants admit Plaintiff Leins’ change in name but lack information necessary  
4 to admit or deny the balance of the allegations in this paragraph.

5           125. Defendants lack information necessary to admit or deny the allegations in this  
6 paragraph.

7           126. Defendants lack information necessary to admit or deny the allegations in this  
8 paragraph.

9           127. Defendants lack information necessary to admit or deny the allegations in this  
10 paragraph.

11           128. Defendants lack information necessary to admit or deny the allegations in this  
12 paragraph.

13           129. Defendants lack information necessary to admit or deny the allegations in this  
14 paragraph.

15           130. Defendants lack information necessary to admit or deny the allegations in this  
16 paragraph.

17           131. Defendants lack information necessary to admit or deny the allegations in this  
18 paragraph.

19           132. Defendants lack information necessary to admit or deny the allegations in this  
20 paragraph.

21           133. Defendants lack information necessary to admit or deny the allegations in this  
22 paragraph.

23           134. Defendants lack information necessary to admit or deny the allegations in this  
24 paragraph.

135. This paragraph does not allege any facts and, therefore, requires no response.

136. Defendants lack information necessary to admit or deny the allegations in this paragraph.

137. Admitted.

138. Denied.

139. Defendants lack information necessary to admit or deny the allegations in this paragraph.

140. Defendants lack information necessary to admit or deny the allegations in this paragraph.

141. Defendants lack information necessary to admit or deny the allegations.

142. Defendants respectfully refer the Court to the cited study for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

143. Defendants lack information necessary to admit or deny the allegations in this paragraph.

144. Denied.

145. Defendants respectfully refer the Court to the March 2014 publication—which was issued by the PALM Center, not the Department of Defense—for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

146. Denied. On May 11, 2014, then-Secretary Hagel was asked whether the universal exclusion of “transgender service members “should be looked at again.”<sup>2</sup> Secretary Hagel answered:

The issue of transgender is a bit more complicated [than sexual orientation], because it has a -- a medical component to it. These

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<sup>2</sup> See Rough Transcript, ‘*This Week*’: Defense Secretary Chuck Hagel, Sen. Marco Rubio (May 11, 2014), Milgroon Decl. Ex. A, *Doe v. Trump*, No. 1:17-cv-1597-CKK (May 11, 2018), ECF No. 131-2.

1 issues require medical attention. Austere locations where we -- we  
2 put our men and women in -- in many cases, don't always provide  
3 that kind of opportunity. I do think it -- it continually should be  
4 reviewed. I'm open to that, by the way. I'm open to those  
5 assessments, because, again, I go back to the bottom line. Every  
6 qualified American who wants to serve our country should have an  
7 opportunity if they fit the qualifications and can do it. This is an area  
8 that we -- we've -- we've not defined enough.

9 *Id.* Defendants deny any allegations inconsistent with that answer.

10 147. Defendants respectfully refer the Court to the cited testimony<sup>3</sup> for a full and  
11 accurate statement of its contents and deny any allegations inconsistent therewith.

12 148. Defendants admit that, on July 28, 2015, then-Secretary of Defense Ash Carter  
13 issued a memorandum to the Secretaries of all Military Departments, requiring that "no Service  
14 member shall be involuntarily separated or denied reenlistment or continuation of active or reserve  
15 service on the basis of their gender identity, without the personal approval of the Under Secretary  
16 of Defense for Personnel and Readiness." *See* ECF No. 76-2. Secretary Carter's memorandum also  
17 required a "working group" be convened to "formulate policy options for the DoD regarding the  
18 military service of transgender Service members." *Id.* at 1. Secretary Carter ordered that working  
19 group to "start with the presumption that transgender persons can serve openly without adverse  
20 impact on military effectiveness and readiness, unless and except where objective, practical  
21 impediments are identified." *Id.*

22 149. *See* ¶ 148, *supra*.

23 150. Denied.

24 151. *See* ¶ 148, *supra*. Defendants also respectfully refer the Court to the 2016 RAND  
25 Study, ECF No. 32-1, for a full and accurate statement of its contents and deny any allegations  
26 inconsistent therewith.

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<sup>3</sup> <https://www.defense.gov/News/Releases/Release/Article/612778/statement-by-secretary-of-defense-ash-carter-on-dod-transgender-policy/>.

152. See ¶ 151, *supra*.

153. Denied.

154. Denied. In fact, the resulting policy still excluded many persons on the sole basis that they had a “history of gender dysphoria”; a “history of medical treatment associated with gender transition”; or a “history of sex reassignment or genital reconstruction surgery.” *See* DTM-16-005, Att. §§ 2(a)(1)–(3), ECF No. 33-1 at 5–6. In any event, Defendants respectfully refer the Court to the DTM-16-005 for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

155. Defendants respectfully refer the Court to the DTM-16-005 for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

156. Denied.

157. Denied.

158. Defendants respectfully refer the Court to the cited handbook, ECF No. 31-5, for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

159. Defendants respectfully refer the Court to the cited guidance for a full and accurate statement of its contents and deny any allegations inconsistent therewith.

160. Denied, except to admit that, between October 2016 and June 2017, Services conducted training on the above-cited policies.

161. Defendants respectfully refer the Court to President Trump’s July 26, 2017 tweets, ECF No. 31-6, for a full and accurate statement of their contents and deny any allegation inconsistent therewith.

162. Denied.

163. Denied.

1           164. Defendants respectfully refer the Court to the cited statement, ECF No. 31-9, for a  
2 full and accurate statement of its contents and deny any allegations inconsistent therewith.

3           165. Defendants respectfully refer the Court to the cited judicial opinions for a full and  
4 accurate statement of their contents and deny any allegations inconsistent therewith.

5           166. Defendants respectfully refer the Court to the dockets of the cited cases for a full  
6 and accurate statement of their contents and deny any allegations inconsistent therewith.

7           167. Denied.

8           168. Denied.

9           169. With respect to the first sentence, Defendants respectfully refer the Court to the  
10 cited testimony for a full and accurate statement of its contents and deny any allegations  
11 inconsistent therewith. Defendants deny the second sentence.

12           170. Defendants lack information necessary to admit or deny the allegations in this  
13 paragraph.

14           171. Denied.

15           172. Defendants respectfully refer the Court to the cited campaign statements for a full  
16 and accurate statement of their contents and deny any allegation inconsistent therewith.

17           173. Defendants respectfully refer the Court to the cited campaign statements for a full  
18 and accurate statement of their contents and deny any allegation inconsistent therewith.

19           174. Denied.

20           175. Defendants respectfully refer the Court to Executive Order 14183, 90 Fed. Reg.  
21 8,757 (Feb. 3, 2025), for a full and accurate statement of its contents and deny any allegation  
22 inconsistent therewith.

23           176. See ¶ 175, *supra*.

24           177. See ¶ 175, *supra*.

1 178. See ¶ 175, *supra*.

2 179. Denied.

3 180. Defendants respectfully refer the Court to Executive Order 14168, 90 Fed. Reg.  
4 8,615 (Jan. 30, 2025), for a full and accurate statement of its contents and deny any allegation  
5 inconsistent therewith.

6 181. See ¶ 180, *supra*.

7 182. See ¶ 180, *supra*.

8 183. See ¶ 175, *supra*.

9 184. Defendants respectfully refer the Court to the cited guidance, ECF No. 58-7, for a  
10 full and accurate statement of their contents and deny any allegation inconsistent therewith.  
11

12 185. See ¶ 184, *supra*.

13 186. Defendants respectfully refer the Court to the cited post for a full and accurate  
14 statement of its contents and deny any allegation inconsistent therewith.

15 187. See ¶ 184, *supra*.

16 188. See ¶ 184, *supra*.

17 189. See ¶ 184, *supra*.

18 190. See ¶ 184, *supra*.

19 191. Denied.

20 192. See ¶ 184, *supra*.

21 193. As to the first sentence, Defendants respectfully refer the Court to the cited filing  
22 for a full and accurate statement of its contents and deny any allegation inconsistent therewith. As  
23 to the second sentence, Defendants respectfully refer the Court to the cited guidance, ECF No. 58-  
24 8, for a full and accurate statement of its contents and deny any allegation inconsistent therewith.  
25  
26



1 194. As to the first sentence, Defendants admit that the February 26 guidance reflects a  
2 change in DoD policy. Defendants deny the allegations in the second sentence.

3 195. Denied, except to admit that each Defendant is responsible for implementing and  
4 enforcing any policy that it promulgates.

5 196. Denied.

6 **CAUSES OF ACTION**

7 **FIRST CAUSE OF ACTION**

8 197. Defendants incorporate by reference the preceding responses.

9 198. Plaintiffs' characterization of their claim requires no response.

10 199. Plaintiffs' characterization of their claim requires no response.

11 200. Plaintiffs' characterization of their claim requires no response.

12 201. Plaintiffs' characterization of their claim requires no response.

13 202. Plaintiffs' characterization of their claim requires no response.

14 203. This paragraph sets forth a legal conclusion, to which no response is required. To  
15 the extent a response is deemed required, denied.

16 204. This paragraph sets forth a legal conclusion, to which no response is required. To  
17 the extent a response is deemed required, denied.

18 205. This paragraph sets forth a legal conclusion, to which no response is required. To  
19 the extent a response is deemed required, denied.

20 206. This paragraph sets forth a legal conclusion, to which no response is required. To  
21 the extent a response is deemed required, denied.

22 207. This paragraph sets forth a legal conclusion, to which no response is required. To  
23 the extent a response is deemed required, denied.

208. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

## SECOND CAUSE OF ACTION

209. Defendants incorporate by reference the preceding responses.

210. Plaintiffs' characterization of their claim requires no response.

211. Plaintiffs' characterization of their claim requires no response.

212. Plaintiffs' characterization of their claim requires no response.

213. Plaintiffs' characterization of their claim requires no response.

214. Plaintiffs' characterization of their claim requires no response.

215. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

216. Defendants lack information necessary to admit or deny the allegations in this paragraph.

217. Defendants lack information necessary to admit or deny the allegations in this paragraph.

218. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

219. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

220. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

221. This paragraph sets forth a legal conclusion, to which no response is required. To the extent a response is deemed required, denied.

1           222. This paragraph and its subparagraphs set forth legal conclusions, to which no  
2 response is required. To the extent any response is deemed required, denied.

3           223. This paragraph sets forth a legal conclusion, to which no response is required. To  
4 the extent a response is deemed required, denied.

5           224. This paragraph sets forth a legal conclusion, to which no response is required. To  
6 the extent a response is deemed required, denied.

7           225. This paragraph sets forth a legal conclusion, to which no response is required. To  
8 the extent a response is deemed required, denied.

9           226. This paragraph sets forth a legal conclusion, to which no response is required. To  
10 the extent a response is deemed required, denied.

11           227. This paragraph sets forth a legal conclusion, to which no response is required. To  
12 the extent a response is deemed required, denied.

13           228. This paragraph sets forth a legal conclusion, to which no response is required. To  
14 the extent a response is deemed required, denied.

15  
16                                   **THIRD CAUSE OF ACTION**

17           229. Defendants incorporate by reference the preceding responses.

18           230. Plaintiffs' characterization of their claim requires no response.

19           231. Plaintiffs' characterization of their claim requires no response.

20           232. Plaintiffs' characterization of their claim requires no response.

21           233. Plaintiffs' characterization of their claim requires no response.

22           234. This paragraph sets forth a legal conclusion, to which no response is required. To  
23 the extent a response is deemed required, denied.

24           235. This paragraph sets forth a legal conclusion, to which no response is required. To  
25 the extent a response is deemed required, denied.  
26

1           236. This paragraph sets forth a legal conclusion, to which no response is required. To  
2 the extent a response is deemed required, denied.

3           237. This paragraph sets forth a legal conclusion, to which no response is required. To  
4 the extent a response is deemed required, denied.

5           238. This paragraph sets forth a legal conclusion, to which no response is required. To  
6 the extent a response is deemed required, denied.

7  
8                           **FOURTH CAUSE OF ACTION**

9           239. Defendants incorporate by reference the preceding responses.

10          240. Plaintiffs' characterization of their claim requires no response.

11          241. Plaintiffs' characterization of their claim requires no response.

12          242. Plaintiffs' characterization of their claim requires no response.

13          243. Plaintiffs' characterization of their claim requires no response.

14          244. This paragraph sets forth a legal conclusion, to which no response is required. To  
15 the extent a response is deemed required, denied.

16          245. This paragraph sets forth a legal conclusion, to which no response is required. To  
17 the extent a response is deemed required, denied.

18          246. This paragraph sets forth a legal conclusion, to which no response is required. To  
19 the extent a response is deemed required, denied.

20          247. This paragraph sets forth a legal conclusion, to which no response is required. To  
21 the extent a response is deemed required, denied.

22          248. This paragraph sets forth a legal conclusion, to which no response is required. To  
23 the extent a response is deemed required, denied.

24  
25                           **PRAYER FOR RELIEF**

26          Plaintiffs' prayer for relief requires no response. To the extent a response is required,

Defendants deny that Plaintiffs are entitled to the requested relief or to any relief.

**AFFIRMATIVE DEFENSES**

1. Plaintiffs have failed to state a claim on which relief can be granted.
2. Plaintiffs have failed to exhaust their administrative remedies.
3. Plaintiff Gender Justice League lacks organizational standing.
4. Plaintiff Gender Justice League lacks associational standing.

DATE: May 19, 2025

Respectfully submitted,

YAAKOV M. ROTH  
Acting Assistant Attorney General

ALEXANDER K. HAAS  
Director, Federal Programs Branch

JEAN LIN  
Special Litigation Counsel

/s/ Jason C. Lynch  
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